

## **REMARKS**

The Applicants thank the Examiner for the courtesy of an interview, conducted on March 29, 2004. At the close of the interview, the Examiner prepared an Interview Summary Form which was signed by Applicant's representative. However, the box at the end of the form indicating it is not necessary for applicant to provide a separate record of the substance of the interview is not checked. Compliant with MPEP § 713.04, Applicant provides a separate summary in Section II below.

### **I. Amendments**

The claims are amended in accord with the Examiner's kind suggestions and to better capture the essence of the invention. Namely, claim 21 is amended to recite that the targeting conjugates are in the form of a micellar suspension, as set forth, for example, on page 9, lines 25-29 and on page 29, lines 16-19. Claim 21 is also amended to recite that the hydrophilic polymer is polyethylene glycol, as set forth in claim 24. Claim 21 is also amended to recite that the conjugate "consists essentially of" the recited elements.

Claims 22 and 26-32, 57-59 are amended for consistency with claim 21.

Claim 60 is amended to recite that the hydrophilic polymer is polyethylene glycol, as set forth in claim 24.

Claims 23, 24, and 71-81 stand cancelled.

No new matter is added by these amendments.

### **II. Summary of Interview**

A personal interview with the Examiner, Applicant Frank Martin, and Applicant's representative Judy Mohr was held on March 29, 2004. During the interview, the essence of the invention was discussed and the teachings in the cited documents of Torchilin and Harris, cited in the sole remaining rejection under 35 U.S.C. § 103, were discussed. Regarding the teaching of Torchilin, Applicant noted that Torchilin, concerned with enhancing the amount of radiocontrast agent carried by a liposome, describes a compound having the radiocontrast agent (i.e. metal chelators) attached to polymer side arms. The multiple side arms provide multiple sites for reaction with the radiocontrast agent. Torchilin notes that liposomes can be targeted by separately including an antibody

to the bilayer membrane surface. Nothing in the teaching of Torchilin shows or suggests a conjugate consisting essentially of a lipid covalently attached to polyethyleneglycol and a targeting ligand attached to the distal polymer end. The cited secondary reference of Harris is concerned with monofunctional polymers to prevent crosslinking with the polymer is attached to a protein. Harris notes that PEG can be bifunctional, yet there is nothing that would guide one of skill to combine this with Torchilin, since Torchilin is desirous of a multi-functional polymer, and provides a multi-functional polymer by virtue of the multiplicity of reactive side arms.

III. Conclusion

The claims have been amended in accord with the Examiner's suggestions in the March 29, 2004 interview. Applicants believe the amendments place the claims in condition for allowance and a Notice of Allowance is respectfully requested.

The Examiner is invited to contact Applicants' representative at (650) 838-4402 as needed.

Respectfully submitted,

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